

# Notice of Allowability

Application No.

09/749,832

Examiner

James Sheleheda

Applicant(s)

ALBRIGHT, BARRY WYNN

Art Unit

2623

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/31/06.
2. ☒ The allowed claim(s) is/are 1-19 and 21-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



CHRIS KELLEY

SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

Claims 1-13 are allowable because the prior art fails to teach or disclose an apparatus comprising: a routing device to generate an inverted DVB-ASI signal and an *inverting adapter adapted to invert the inverted DVB-ASI signal to produce a non-inverted adapted DVB-ASI signal, wherein a non-inverted DVB-ASI signal and the non-inverted adapted DBV-ASI signal are available simultaneously*, as any "adapted to" and "adapted for" clauses, based upon the claim language and case history, have been interpreted as structural limitations.

Claims 14-18 are allowable because the prior art fails to teach or disclose a system comprising: DBV-ASI encoder producing an output DVB-ASI signal, an amplification device outputting the DVB-ASI signal and an inverted DVB-ASI signal, and an *inverting adapter adapted to invert the inverted DVB-ASI signal to produce a non-inverted adapted DVB-ASI signal, wherein the DVB-ASI signal and the non-inverted adapted DBV-ASI signal are available simultaneously*, as any "adapted to" and "adapted for" clauses, based upon the claim language and case history, have been interpreted as structural limitations.

Claims 19 and 21 are allowable because the prior art fails to teach or disclose an inverting adapter comprising:

a transformer, a body encasing the transformer, an input coupling adapted to accept an inverted DBV-ASI signal, *an output coupling providing a non-inverted adapted DBV-ASI signal and primary and secondary outputs coupled to a non-inverted DVB-ASI signal source and the non-inverted adapted DVB-ASI signal, wherein the DVB-ASI signal and the non-inverted adapted DBV-ASI signal are available simultaneously*, as any “adapted to” and “adapted for” clauses, based upon the claim language and case history, have been interpreted as structural limitations.

Claims 22-23 are allowable because the prior art fails to teach or disclose a digital video system comprising: *an inverting adapter adapted to invert the inverted DVB-ASI signal to produce a non-inverted adapted DVB-ASI signal, wherein a non-inverted DVB-ASI signal and the non-inverted adapted DBV-ASI signal are available simultaneously*, as any “adapted to” and “adapted for” clauses, based upon the claim language and case history, have been interpreted as structural limitations.

Claims 24-25 are allowable because the prior art fails to teach or disclose a method for processing DVB signals comprising the steps of: generating a non-inverted DBV-ASI signal and an inverted DVB-ASI signal, *inverting the inverted DVB-ASI signal to create a non-inverted adapted DVB-ASI signal and providing the non-inverted DVB-ASI signal and the non-inverted adapted DBV-ASI signal for use simultaneously*.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

### **Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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### **Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. ( ) \_\_\_\_\_ - \_\_\_\_\_ on \_\_\_\_\_.  
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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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